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November 2, 2021

Magistrate Judge Miguel Torres
United States District Court
for the Western District of Texas
525 Magoffin Avenue
El Paso, Texas 79901

**Re: *Jerome Arellanez v. Officer Morales;*
Cause No. EP-19-CV-00187-KC-MAT**

Dear Judge Torres,

This serves as Officer Morales' Status Report to the Court regarding the status of discovery in this matter. On October 7, 2021, the Court ordered the parties to submit a report by November 5, 2021, "apprising the Court of the status of the Plaintiff's deposition, as well as any related discovery matters. If the deposition has not been completed by November 5, 2021, Defendants, Officer Raul Morales and Officer Sebastian Chavez,¹ will be expected to explain in detail the nature of the logistical difficulties in connecting via Zoom in the facility where Plaintiff is currently housed, as well as discussing any alternative plans." (Doc. # 131, p. 2). Additionally, the Court ordered Plaintiff to provide his new mailing address by November 5, 2021, or face potential dismissal of his claims. (*Id.*).

On October 26, 2021, Plaintiff filed his "Response to "Extended Dispositive Motions,'" (Doc. # 133), in which he informed the Court and opposing party of his new mailing address and unit of

¹Officer Chavez was dismissed from this lawsuit by Court order at the Fed. R. Civ. P. Rule 12(b)(6) stage. (See Doc. # 71, Order Accepting the Report and Recommendation of the Magistrate Judge, p. 9).

incarceration. (See Doc. # 133, pp. 1 & 4). Armed with that new information, undersigned counsel called the Byrd Unit on November 2, 2021, and spoke with Ms. Jennifer Hellbusch, in the law library. Ms. Hellbusch was made aware of the limitations that the parties had previously encountered in trying to conduct Plaintiff's deposition and she indicated that she would have to confer with the Texas Department of Criminal Justice Access to Courts division. Later on the same date, Ms. Hellbusch called and informed undersigned counsel that the Unit's Zoom account could be used for Plaintiff's deposition for up to five (5) hours. Accordingly, counsel for Officer Morales will only need to contact Ms. Hellbusch once a court reporter and videographer are scheduled in order to take Plaintiff's deposition. The deposition should be able to be completed within the next 30 days, and will undertake to get that accomplished.

Sincerely,

/s/ Jeep Darnell

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of November, 2021, a true and correct copy of the foregoing document has been electronically filed via the CM/ECF system and mailed via certified mail, return receipt requested to Plaintiff at TDCJ Byrd Unit, 21 FM 247, Huntsville, Texas 77320.

/s/ Jeep Darnell
Jeep Darnell